

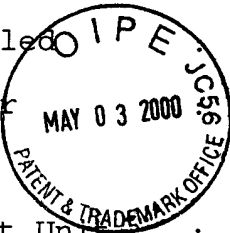
Attorney Docket No. 990360/RSB

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Masataka KINJO

Serial No. : 09/325,189

Filed  June 3, 1999

For  METHOD AND APPARATUS  
OF ANALYZING TARGET  
NUCLEIC ACID

Art Unit : 1656

Examiner : J. Tung

**RESPONSE TO NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents  
Washington, D.C. 20231

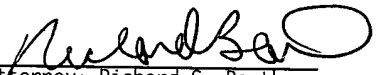
S I R :

This is in response to the NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES, which was  
enclosed with the Office Action mailed on March 27, 2000. A term  
of one month was set for responding to the NOTICE. Thus, the  
term for responding ends on March 27, 2000. A copy of said  
NOTICE is enclosed.

The NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES required that the applicant submit a  
computer readable form (CRF) and a paper copy of the SEQUENCE  
LISTING, including an appropriate statement under 37 CFR 1.821.

CERTIFICATE OF MAILING

I hereby certify this  
correspondence is being  
deposited with the United  
States Postal Service as First  
Class mail in an envelope  
addressed to: Assistant  
Commissioner for Patents,  
Washington, D.C. 20231 on the  
date noted below.

  
Attorney: Richard S. Barth

Dated: April 26, 2000

In the event that this Paper  
is late filed, and the  
necessary petition for  
extension of time is not filed  
concurrently herewith, please  
consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by check attached  
hereto, authorization to  
charge the extension fee,  
or any other fee required  
in connection with this  
Paper, to Account No. 06-1378.

1.77  
5-20-00  
#7

In response to the aforesaid NOTICE, submitted herewith are the following:

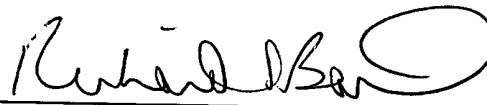
(1) a computer readable form ("CRF") and a paper copy of the SEQUENCE LISTING, and

(2) a STATEMENT UNDER 37 CFR 1.821(f) and (g) of Mr. Mitsuo Taniguchi, dated April 24, 2000.

It is respectfully submitted that the enclosures submitted herewith serve to avoid the objections raised in the aforementioned NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES.

It is respectfully submitted that the application complies with all the requirements of 37 CFR 1.821 to 1.825.

Respectfully submitted,

  
RICHARD S. BARTH  
REG. NO. 28,180

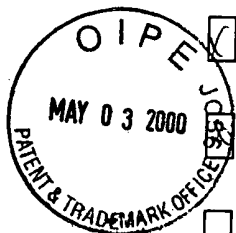
FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.  
767 THIRD AVENUE - 25TH FLOOR  
NEW YORK, NEW YORK 10017-2023  
Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
RSB/ddf

Enclosures: (1) copy of the PTO NOTICE enclosed with the March 27, 2000 Office Action  
(2) computer readable form and paper copy of the SEQUENCE LISTING  
(3) STATEMENT UNDER 37 CFR 1.821(f) and (g) of Mr. Mitsuo Taniguchi, dated April 24, 2000

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_



## Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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